

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JEFFREY J. HEFFERNAN, : Civil Action No. 06-3882 (PGS)

Plaintiff, :

v. :

ORDER

CITY OF PATERSON, ET AL., :

Defendants. :

This matter comes before the Court on Defendant's motion for summary judgment and Defendants' and Plaintiff's in limine motions. Good cause having been shown, for the reasons set forth on the record;

IT IS on this 3rd day of April, 2009;

ORDERED that Defendants' motion for summary judgment is denied; and it is further

ORDERED that Plaintiff's motion in limine to preclude Defendants from using at trial evidence regarding the 2002 Internal Investigation of Plaintiff (Docket Entry No. 42) is denied; and it is further

ORDERED that Plaintiff's motion in limine to preclude Defendants from using at trial the Report authored by Dr. Bertram Rotman dated January 31, 2002 (Docket Entry No. 44) is denied; and it is further

ORDERED that Plaintiff's motion in limine to preclude Defendants from using at trial their Expert Report authored by Dr. Steven Simring dated January 7, 2009 (Docket Entry No. 45)

is denied; and it is further

ORDERED that Defendants' motion in limine to exclude testimony of Plaintiff's expert, Dr. Philip Bai, at trial (Docket Entry No. 48) is denied; and it is further

ORDERED that Defendants' motion in limine to preclude Plaintiff from offering any evidence of punitive damages at trial (ibid.) is denied subject to hearing the testimony at trial; and it is further

ORDERED that Defendants' motion in limine to exclude testimony of Kelly Hemming at trial (ibid.) is denied; and it is further

ORDERED that Defendants' motion in limine to preclude Marlene Heffernan and Jeffrey Heffernan II from testifying at trial (ibid.) is denied; and it is further

ORDERED that Defendants' motion in limine to preclude Vaughan Paterson, and Joey Torres, is granted; and it is further

ORDERED that Defendant's motion in limine to preclude Patrick Greco from testifying at trial (ibid.) is denied; and it is further

ORDERED that Defendants' motion in limine to bar the Plaintiff from eliciting testimony at trial from John Kraus (ibid.) is granted; and it is further

ORDERED that Defendants' motion in limine to bar the Plaintiff from introducing at trial the tape recording evidence marked P-61 (ibid.) is granted.

4-3-09

Peter G. Sheridan
PETER G. SHERIDAN, U.S.D.J.